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Subject: RE: NAACP v. Lee, No. 3:20-cv-1039 - Supplemental Discovery Update
Date: Friday, October 20, 2023 11:39:04 AM
Attachments: [Defendant Revised Supplemental Privilege Log with Index \(002\).pdf](#)

Good Morning,

We have updated the secure file transfer folder with the complete folders for approval and denials, which include the supporting documentation. The folders are entitled “Denials – June 2023-October 13, 2023-BN” and “Restorations – June 2023-October 13, 2023-BN.” The login that I previously sent you should allow you to access and retrieve the documents.

Defendants maintain that the emails between staff at the Division of Elections and Tennessee clerks of court are not responsive to requests for production served on the Division of Elections. These emails were not sent as part of the Division of Elections’ regular course of business. The emails were not sent as part of processing an applicant’s certificate of restoration, and the emails were not related to policies and procedures concerning certificates of restoration. Rather, the emails were sent to test the viability of a potential term in settlement negotiations. To the extent that they may be considered responsive, these emails are privileged work product as the emails were sent at the direction, and under the supervision of, attorneys for the Division of Elections.

For the allegedly incomplete email chains, you have the complete written email conversations.

I’ve also attached an updated privilege log that provides the additional information requested.

This should address all of the concerns expressed in your October 4th Letter.

My Best,

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